

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

12800 CENTER COURT DRIVE SOUTH, SUITE 300

CERRITOS, CALIFORNIA 90703-9364

TELEPHONE: (562) 653-3200

FAX: (562) 653-3333

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EARL FRONDA, on behalf of himself,
all others similarly situated,

Plaintiff,

v.

STAFFMARK HOLDINGS, INC., a
Delaware corporation; CEVA
LOGISTICS U.S., INC., a Delaware
corporation; AMAZON.COM LLC, a
Delaware corporation; and DOES 1-50,
inclusive,

Defendant.

Case No. 3:15-cv-02315-MEJ

Case Assigned To:
Magistrate Judge Maria-Elena James
COURTROOM: B

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER RE REVISED DATA
SUMMARY SHEET**

Complaint Filed: April 17, 2015
Trial Date: July 23, 2018

Plaintiff Earl Fronda (“Fronda”) and Defendants Staffmark Holdings, Inc. (“Staffmark Holdings”), and CBS Personnel Services, LLC (“CBS”), collectively hereinafter the “Parties,” submit the following Stipulation and Proposed Order regarding the use of a Revised Data Summary Sheet to be sent to putative class members.

Whereas, on November 27, 2017, the Court granted preliminary approval to the settlement between the parties set forth in the Stipulation and Agreement to Settle and Limited Release;

Whereas, the Settlement that was preliminarily approved by the Court provided that payment to class members would be based upon the total number of workweeks worked by

ATKINSON, ANDELSON, LOYA, RUUD & ROMO
 A PROFESSIONAL CORPORATION
 ATTORNEYS AT LAW
 12800 CENTER COURT DRIVE SOUTH, SUITE 300
 CERRITOS, CALIFORNIA 90703-9364
 TELEPHONE: (562) 653-3200
 FAX: (562) 653-3333

the putative class member at a CEVA location in California, which would be determined by multiplying the number of weeks that a putative class member worked at the CEVA Torrance and Carson locations by two and adding that number to the number of weeks that a putative class member worked at any CEVA location in California other than the Torrance and Carson locations;

Whereas, the Court approved a Data Summary Sheet which was to be included with the Notice of Settlement to the putative class members, which separately set forth, the number of weeks worked at CEVA Carson locations, the number of weeks worked at CEVA Torrance locations, and the number of weeks worked at CEVA locations other than the Torrance and Carson locations (a copy of this notice is attached as Exhibit "A");

Whereas, the records maintained by CBS set forth a combined total number of workweeks for the Carson and Torrance locations, such that the Data Summary Sheet should be revised to provide the combined total number of weeks worked at the CEVA Torrance and Carson locations and the total number of weeks worked at any CEVA location in California other than the Torrance and Carson locations (a redlined and final copy of the proposed revised Data Summary Sheet is attached as Exhibit "B");

Now, therefore, the Parties stipulate that the revised Data Summary Sheet, which is attached hereto as Exhibit "B" shall be the Data Summary Sheet that is sent to putative class members along with the Notice of Settlement to the putative class members.

IT IS SO STIPULATED.

Dated: January 5, 2018 SETAREH LAW GROUP

By: /s/ Shaun Setareh
 Shaun Setareh
 H. Scott Leviant
 Attorneys for Plaintiff
 EARL FRONDA

1 Dated: January 5, 2018 ATKINSON, ANDELSON, LOYA, RUUD & ROMO

2
3 By: /s/ Barbara S. Van Ligten
4 Susan M. Steward
5 Barbara S. Van Ligten
6 Attorneys for Defendants
7 STAFFMARK HOLDINGS, INC. and CBS
8 PERSONNEL SERVICES, LLC
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATKINSON, ANDELSON, LOYA, RUUD & ROMO
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
12800 CENTER COURT DRIVE SOUTH, SUITE 300
CERRITOS, CALIFORNIA 90703-9364
TELEPHONE: (562) 653-3200
FAX: (562) 653-3333

ORDER

After considering the Parties' stipulation to send the revised Data Summary Sheet to the putative class members, IT IS ORDERED that the revised Data Summary Sheet, attached hereto as Exhibit "B," shall be the Data Summary Sheet that is sent to the putative class members along with the Notice of this settlement.

IT IS SO ORDERED.

Dated: _____

Judge Maria-Elena James
MAGISTRATE JUDGE

ATKINSON, ANDELSON, LOYA, RUUD & ROMO
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
12800 CENTER COURT DRIVE SOUTH, SUITE 300
CERRITOS, CALIFORNIA 90703-9364
TELEPHONE: (562) 653-3200
FAX: (562) 653-3333

EXHIBIT A

DATA SUMMARY SHEET**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Earl Fronda v. Staffmark Holdings, Inc. et al.
United States District Court, Case No. 3:15-CV-02315-MEJ

Name
Address 1
Address 2

You have been identified as an individual who is entitled to receive payment under the terms of the settlement in the *Earl Fronda v. Staffmark Holdings, Inc., et al.*, Case No. 3:15-CV-02315-MEJ, pending in the United States District Court, Northern District of California. The purpose of this form is to confirm the information Staffmark Holdings, Inc. and CBS Personnel Services, LLC ("CBS Defendants") have on file for you. The below information will govern the calculation of the payment to you under the terms of the settlement in this action, as described in the Notice of Proposed Class Action Settlement, sent to you with this form. IF YOU DO NOT DISPUTE THE INFORMATION BELOW, NO RESPONSE OR FURTHER ACTION IS REQUIRED BY YOU. Your payment under the settlement will be calculated using the below information.

The records of the CBS Defendants reflect the following:

1. From April 17, 2011 to [DATE], you worked a total of ___ workweeks for the CBS Defendants at the CEVA Carson location, which is located at 18120 Bishop Avenue, Carson, California 90746.
2. From April 17, 2011 to [DATE], you worked a total of ___ workweeks for the CBS Defendants at one or more of the CEVA Torrance locations, which are located at 19600 Western Avenue, Torrance, California 90501, 700 Van Ness Avenue, Torrance, California 90501, and 19270 Western Avenue, Torrance, California 90501.
3. From April 17, 2011 to [DATE], you worked a total of ___ workweeks for the CBS Defendants at any CEVA location in California other than the CEVA Carson location and/or the CEVA Torrance location(s).
4. Your **estimated** gross Class Member Payment is: \$ _____

Procedure for Disputing Information

IF YOU WISH TO DISPUTE THE INFORMATION SET OUT ABOVE, you must send a letter to the Settlement Administrator stating the reasons why you dispute the amount of workweeks and provide any supporting documentation that you have. The information you provide should include the amount of total workweeks you claim you worked for the CBS Defendants at the CEVA Carson location, CEVA Torrance location, and/or any other CEVA location in California from April 17, 2011 to [DATE].

Any disputes and supporting documentation must be postmarked by [DATE] and should be sent to the Settlement Administrator at the following address:

The Settlement Administrator will review your dispute and all supporting documentation you provide. After carefully considering the information you submit, and the information from the CBS Defendants' records, the Settlement Administrator will make a determination about your dispute, and make a recommendation to the Court. The Court will rule on this recommendation at the Final Fairness and Approval Hearing. The Court's decision will be final and binding.

PLEASE NOTE: The estimated payment contained herein may increase or decrease without further notice to you. Failure to provide supporting documentation will result in rejection. If you disagree with the records of the CBS Defendants you must file your dispute with the Settlement Administrator. You should not contact anyone at the CBS Defendants.

EXHIBIT B

DATA SUMMARY SHEET**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Earl Fronda v. Staffmark Holdings, Inc. et al.
United States District Court, Case No. 3:15-CV-02315-MEJ

Name**Address 1****Address 2**

You have been identified as an individual who is entitled to receive payment under the terms of the settlement in the *Earl Fronda v. Staffmark Holdings, Inc., et al*, Case No. 3:15-CV-02315-MEJ, pending in the United States District Court, Northern District of California. The purpose of this form is to confirm the information Staffmark Holdings, Inc. and CBS Personnel Services, LLC ("CBS Defendants") have on file for you. The below information will govern the calculation of the payment to you under the terms of the settlement in this action, as described in the Notice of Proposed Class Action Settlement, sent to you with this form. IF YOU DO NOT DISPUTE THE INFORMATION BELOW, NO RESPONSE OR FURTHER ACTION IS REQUIRED BY YOU. Your payment under the settlement will be calculated using the below information.

The records of the CBS Defendants reflect the following:

1. From April 17, 2011 to {DATE}, November 27, 2017, you worked a total of <<CEVACT>> workweeks for the CBS Defendants at the CEVA Carson location, which is located at 18120 Bishop Avenue, Carson, California 90746.
2. From April 17, 2011 to {DATE}, you worked a total of <<CEVATO>> workweeks for the CBS Defendants at one or more of _____, or at the CEVA Torrance locations, which are located at 19600 Western Avenue, Torrance, California 90501, 700 Van Ness Avenue, Torrance, California 90501, and 19270 Western Avenue, Torrance, California 90501.
32. From April 17, 2011 to {DATE}, November 27, 2018, you worked a total of <<CEVAO>> workweeks for the CBS Defendants at any CEVA location in California other than the CEVA Carson location and/or the CEVA Torrance location(s).
43. Your **estimated** gross Class Member Payment is: \$<<EstSet>>

Procedure for Disputing Information

Formatted: Not Highlight

Formatted: Tab stops: 0.25", Left + Not at 0.5"

IF YOU WISH TO DISPUTE THE INFORMATION SET OUT ABOVE, you must send a letter to the Settlement Administrator stating the reasons why you dispute the amount of workweeks and provide any supporting documentation that you have. The information you provide should include the amount of total workweeks you claim you worked for the CBS Defendants at the CEVA Carson location, CEVA Torrance location, and/or any other CEVA location in California from April 17, 2011 to ~~{DATE}~~ November 27, 2017.

Any disputes and supporting documentation must be postmarked by ~~{DATE}~~ February 26, 2018 and should be sent to the Settlement Administrator at the following address:

Fronda v. Staffmark Holdings Settlement Administrator
PO Box
Louisville, KY

The Settlement Administrator will review your dispute and all supporting documentation you provide. After carefully considering the information you submit, and the information from the CBS Defendants' records, the Settlement Administrator will make a determination about your dispute, and make a recommendation to the Court. The Court will rule on this recommendation at the Final Fairness and Approval Hearing. The Court's decision will be final and binding.

PLEASE NOTE: The estimated payment contained herein may increase or decrease without further notice to you. Failure to provide supporting documentation will result in rejection. If you disagree with the records of the CBS Defendants you must file your dispute with the Settlement Administrator. You should not contact anyone at the CBS Defendants.

Formatted: Keep with next, Keep lines together

DATA SUMMARY SHEET

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Earl Fronda v. Staffmark Holdings, Inc. et al.
United States District Court, Case No. 3:15-CV-02315-MEJ

Name

Address 1

Address 2

You have been identified as an individual who is entitled to receive payment under the terms of the settlement in the *Earl Fronda v. Staffmark Holdings, Inc., et al*, Case No. 3:15-CV-02315-MEJ, pending in the United States District Court, Northern District of California. The purpose of this form is to confirm the information Staffmark Holdings, Inc. and CBS Personnel Services, LLC ("CBS Defendants") have on file for you. The below information will govern the calculation of the payment to you under the terms of the settlement in this action, as described in the Notice of Proposed Class Action Settlement, sent to you with this form. IF YOU DO NOT DISPUTE THE INFORMATION BELOW, NO RESPONSE OR FURTHER ACTION IS REQUIRED BY YOU. Your payment under the settlement will be calculated using the below information.

The records of the CBS Defendants reflect the following:

1. From April 17, 2011 to November 27, 2017, you worked a total of <<CEVACT>> workweeks for the CBS Defendants at the CEVA Carson location, which is located at 18120 Bishop Avenue, Carson, California 90746, or at the CEVA Torrance locations, which are located at 19600 Western Avenue, Torrance, California 90501, 700 Van Ness Avenue, Torrance, California 90501, and 19270 Western Avenue, Torrance, California 90501.
2. From April 17, 2011 to November 27, 2018, you worked a total of <<CEVAO>> workweeks for the CBS Defendants at any CEVA location in California other than the CEVA Carson location and/or the CEVA Torrance location(s).
3. Your **estimated** gross Class Member Payment is: \$<<EstSet>>

Procedure for Disputing Information

IF YOU WISH TO DISPUTE THE INFORMATION SET OUT ABOVE, you must send a letter to the Settlement Administrator stating the reasons why you dispute the amount of workweeks and provide any supporting documentation that you have. The information you provide should include the amount of total workweeks you claim you worked for the CBS Defendants at the CEVA Carson location, CEVA Torrance location, and/or any other CEVA location in California from April 17, 2011 to November 27, 2017.

Any disputes and supporting documentation must be postmarked by February 26, 2018 and should be sent to the Settlement Administrator at the following address:

Fronda v. Staffmark Holdings Settlement Administrator
PO Box
Louisville, KY

The Settlement Administrator will review your dispute and all supporting documentation you provide. After carefully considering the information you submit, and the information from the CBS Defendants' records, the Settlement Administrator will make a determination about your dispute, and make a recommendation to the Court. The Court will rule on this recommendation at the Final Fairness and Approval Hearing. The Court's decision will be final and binding.

PLEASE NOTE: The estimated payment contained herein may increase or decrease without further notice to you. Failure to provide supporting documentation will result in rejection. If you disagree with the records of the CBS Defendants you must file your dispute with the Settlement Administrator. You should not contact anyone at the CBS Defendants.